

### Remarks

The Final Office Action dated July 8, 2010 has been carefully reviewed and the foregoing Amendment has been made in consequence thereof.

Claims 1-20 are now pending in this application. Claims 1-20 stand rejected.

#### **Claim Rejection Under 35 U.S.C. § 102**

The rejection of Claims 1, 2, and 6-8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,272,469 to Koritzinsky, et al. (hereinafter referred to as "Koritzinsky") is respectfully traversed.

Independent Claim 1 has been amended to more clearly recite Applicants' claimed invention. For example, Claim 1 has been amended to recite "a controller device configured to: receive the captured data from the receiver apparatus via said communication device; generate the plurality of images by executing the plurality of image generator programs . . . send the plurality of images to the receiver apparatus through said communication device; receive a selection of at least one image of the plurality of images from the receiver apparatus via said communication device; and send at least one image generator program of the plurality of image generator programs associated with the selected at least one image and having the setting values of the parameters configured to comply with the selected at least one image to the receiver apparatus through said communication device." Independent Claim 7 has been similarly amended. Applicants submit that such recitations are supported in the specification at, for example, paragraphs [0082] through [0087] and paragraphs [0105] through [0110].

Moreover, Applicants respectfully submit that Koritzinsky does not describe or suggest each recitation of amended Claim 1. For example, as acknowledged on page 4 of the Office Action, Koritzinsky does not describe or suggest an originator apparatus that receives captured data from a receiver apparatus, generates a plurality of images based on the captured data, and transmits the plurality of images to the receiver apparatus.

Moreover, Applicants respectfully submit that Koritzinsky does not describe or suggest an originator apparatus that generates a plurality of images using each of a plurality of image generator programs, receives a selection of an image from a receiver apparatus, and transmits an image generator program to the receiver apparatus that is associated with the selected image. More specifically, Applicants traverse the assertion on page 3 of the Office Action that Koritzinsky describes transmitting an image generator program to a receiver apparatus according to an image selection made at the receiver apparatus. Rather, Applicants submit that Koritzinsky describes a remote service system that communicates with a number of imaging modalities to provide online and offline service to the imaging modalities from the service system. Moreover, at column 14, lines 55-65, Koritzinsky limits the transmissions between the remote service system and the imaging modalities to examination and/or imaging protocols, which are defined as including only configuration parameters for specific examination sequences, and which are specifically adapted to a particular imaging modality. For example, a Computer Tomography (CT) imaging system would receive configuration parameters for use in an examination sequence that includes imaging a patient's abdomen using CT-specific parameters. However, such parameters would not be sent to an Ultrasound imaging system.

Koritzinsky describes a service facility (22) for providing remote service to a plurality of medical diagnostic systems (12). Each medical diagnostic system (12) includes a respective controller (30, 46, 60) that enables communication of service requests, messages, and data between the medical diagnostic systems (12) and the service facility (22). The service facility (22) includes a service center processing system (84) and a plurality of operator workstations (86) that enable remote service of the medical diagnostic systems (12) according to the service requests, messages, and data received by the service center processing system (84). Operators of the operator workstations (86) use a graphical interface that includes a number of message pages (230) to interact with the medical diagnostic systems (12). Some message pages (230) enable the operators to transmit examination and/or imaging protocols to the medical diagnostic systems (12) from the operator workstations (86).

Claim 1 recites an image generator program providing apparatus for sending at least one image generator program of a plurality of image generator programs to a receiver apparatus, wherein the plurality of image generator programs are configured to generate a plurality of images of a subject, each image of the plurality of images based on parameters having a different setting value and captured data obtained from the subject. The image generator program providing apparatus includes “a communication device configured to communicate with the receiver apparatus; and a controller device configured to: receive the captured data from the receiver apparatus via said communication device; generate the plurality of images by executing the plurality of image generator programs, each image generator program using different setting values of the parameters; send the plurality of images to the receiver apparatus through said communication device; receive a selection of at least one image of the plurality of images from the receiver apparatus via said communication device; and send at least one image generator program of the plurality of image generator programs associated with the selected at least one image and having the setting values of the parameters configured to comply with the selected at least one image to the receiver apparatus through said communication device.”

Koritzinsky does not describe or suggest an image generator program providing apparatus, as recited in Claim 1. More specifically, Koritzinsky does not describe or suggest a controller device configured to receive captured data from a receiver apparatus, generate a plurality of images by executing a plurality of image generator programs according to different parameter setting values, send the plurality of images to the receiver apparatus, receive a selection of at least one image of the plurality of images from the receiver apparatus, and send an image generator program associated with the selected at least one image and having the setting values of the parameters configured to comply with the selected at least one image to the receiver apparatus. Rather, Koritzinsky describes a remote service facility that communicates with a number of imaging modalities to provide online and offline service to the imaging modalities from the service facility, wherein the remote service facility can transmit examination and/or imaging protocols to the imaging modalities, including configuration parameters for specific examination sequences that are specifically adapted to a particular imaging modality.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Koritzinsky.

Claims 2 and 6 depend from independent Claim 1. When the recitations of Claims 2 and 6 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2 and 6 likewise are patentable over Koritzinsky.

Claim 7 recites an image generator program providing system for sending an image generator program of a plurality of image generator programs from an originator apparatus to a receiver apparatus, wherein each image generator program of the plurality of image generator programs is configured to generate a plurality of images of a subject, and each image of the plurality of images is based on parameters having a different setting value and captured data obtained from the subject. The originator apparatus includes "a first controller device configured to: receive the captured data from said receiver apparatus; send to said receiver apparatus the plurality of images generated by executing each of the plurality of image generator programs with different setting values of the parameters; and send to said receiver apparatus the image generator program having the setting values of the parameters configured to comply with a selection result received from said receiver apparatus; said receiver apparatus comprising: a second controller device configured to select images desired from the plurality of images received from said originator apparatus and to send the selection result back to said originator apparatus to determine the image generator program to be sent to said receiver apparatus."

Koritzinsky does not describe or suggest an image generator program providing system, as recited in Claim 7. More specifically, Koritzinsky does not describe or suggest an originator apparatus that includes a first controller device configured to receive captured data from a receiver apparatus, generate a plurality of images by executing a plurality of image generator programs according to different parameter setting values, send the plurality of images to the receiver apparatus, receive a selection of at least one image of the plurality of images from the receiver apparatus, and send an image generator program associated with the selected at least one image and having the setting values of the parameters configured to comply with the selected at least one image to the receiver apparatus. Moreover, Koritzinsky

does not describe or suggest a receiver apparatus that includes a second controller device configured to select images desired from the plurality of images received from the originator apparatus and to send the selection result back to the originator apparatus to determine the image generator program to be sent to the receiver apparatus.

Rather, Koritzinsky describes a remote service facility that communicates with a number of imaging modalities to provide online and offline service to the imaging modalities from the service facility, wherein the remote service facility can transmit examination and/or imaging protocols to the imaging modalities, including configuration parameters for specific examination sequences that are specifically adapted to a particular imaging modality.

Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Koritzinsky.

Claim 8 depends from independent Claim 7. When the recitations of Claim 8 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 8 likewise is patentable over Koritzinsky.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 2, and 6-8 be withdrawn.

#### **Claim Rejection Under 35 U.S.C. § 103**

The rejection of Claims 3-5 and 9-20 under 35 U.S.C. § 103(a) as being unpatentable over Koritzinsky in view of U.S. Patent Publication No. 2003/0110182 to Christopherson, et al. (hereinafter referred to as "Christopherson") is respectfully traversed.

Koritzinsky is described above. Christopherson describes an Internet system (36) that enables a customer (10) to order print photos. The customer (10) provides a finished roll of film (12) to a processor (14), which develops and scans the film (12) using a scanner (32). The processor (14) then uses the scanner (32) to upload the images to a gateway server (38) that stores the images to image storage drives (42). Alternatively, the customer (10) can directly upload images to the gateway server (38) from a computer device (32-2) for storage

to the image storage drives (42). Thereafter, the customer (10) can view the images using the computer device (32-2), order additional photo processing of the images by the gateway server (38), and/or order physical paper prints of the images from the gateway server (38).

Applicants respectfully submit that no combination of Koritzinsky and Christopherson describes or suggests Applicants' claimed invention. For example, as acknowledged on page 4 of the Office Action, Koritzinsky does not describe or suggest an originator apparatus that receives captured data from a receiver apparatus, generates a plurality of images based on the captured data, and transmits the plurality of images to the receiver apparatus. Applicants submit that Christopherson does not overcome the deficiencies of Koritzinsky. Applicants respectfully traverse the assertion on page 4 of the Office Action that Christopherson describes such a recitation. Rather, Applicants submit that Christopherson describes that a customer can upload digital images to a webserver and then order processing of the digital images and/or order prints from the webserver that are developed based on the digital images. However, Christopherson does not describe or suggest transmitting an image generator program to a receiver apparatus based on a selected image from a plurality of images that are each generated using different image generator programs using different parameter values.

Claim 3 recites an image generator program providing apparatus for sending an image generator program to a receiver apparatus, wherein the image generator program is configured to generate a plurality of images of a subject, each image of the plurality of images based on parameters having a different setting value and captured data obtained from the subject. The image generator program providing apparatus includes "a communication device configured to communicate with the receiver apparatus; and a controller device configured to: send to the receiver apparatus through said communication device the plurality of images generated by executing the image generator program with the captured data received from the receiver apparatus through said communication device and with various setting values of the parameters configured differently; and send the image generator program having the setting values of the parameters configured to comply with a selection result to the receiver apparatus through said communication device, the image generator program sent in

accordance with the selection result received through said communication device on images desired by the receiver apparatus.”

Neither Koritzinsky nor Christopherson, considered alone or in combination, describes or suggests an image generator program providing apparatus, as recited in Claim 3. More specifically, neither Koritzinsky nor Christopherson, considered alone or in combination, describes or suggests a controller device configured to receive captured data from a receiver apparatus, generate a plurality of images by executing a plurality of image generator programs according to different parameter setting values, send the plurality of images to the receiver apparatus, receive a selection of at least one image of the plurality of images from the receiver apparatus, and send an image generator program associated with the selected at least one image and having the setting values of the parameters configured to comply with the selected at least one image to the receiver apparatus. Rather, Koritzinsky describes a remote service facility that communicates with a number of imaging modalities to provide online and offline service to the imaging modalities from the service facility, wherein the remote service facility can transmit examination and/or imaging protocols to the imaging modalities, including configuration parameters for specific examination sequences that are specifically adapted to a particular imaging modality, and Christopherson describes uploading digital images to a webserver using a customer computer and ordering processing of the digital images and/or ordering prints from the webserver that are developed based on the digital images.

Accordingly, for at least the reasons set forth above, Claim 3 is submitted to be patentable over Koritzinsky in view of Christopherson.

Claims 4, 11, 12, 15, and 16 depend from independent Claim 3. When the recitations of Claims 4, 11, 12, 15, and 16 are considered in combination with the recitations of Claim 3, Applicants submit that dependent Claims 4, 11, 12, 15, and 16 likewise are patentable over Koritzinsky in view of Christopherson.

Claims 5, 6, 13, 14, 17, and 18 depend from independent Claim 1, which is recited above.

Neither Koritzinsky nor Christopherson, considered alone or in combination, describes or suggests an image generator program providing apparatus, as recited in Claim 1. More specifically, neither Koritzinsky nor Christopherson, considered alone or in combination, describes or suggests a controller device configured to receive captured data from a receiver apparatus, generate a plurality of images by executing a plurality of image generator programs according to different parameter setting values, send the plurality of images to the receiver apparatus, receive a selection of at least one image of the plurality of images from the receiver apparatus, and send an image generator program associated with the selected at least one image and having the setting values of the parameters configured to comply with the selected at least one image to the receiver apparatus. Rather, Koritzinsky describes a remote service facility that communicates with a number of imaging modalities to provide online and offline service to the imaging modalities from the service facility, wherein the remote service facility can transmit examination and/or imaging protocols to the imaging modalities, including configuration parameters for specific examination sequences that are specifically adapted to a particular imaging modality, and Christopherson describes uploading digital images to a webserver using a customer computer and ordering processing of the digital images and/or ordering prints from the webserver that are developed based on the digital images.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Koritzinsky in view of Christopherson.

When the recitations of Claims 5, 6, 13, 14, 17, and 18 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 5, 6, 13, 14, 17, and 18 likewise are patentable over Koritzinsky in view of Christopherson.

Claims 9, 10, 19, and 20 depend from independent Claim 7, which is recited above.

Neither Koritzinsky nor Christopherson, considered alone or in combination, describes or suggests an image generator program providing system, as recited in Claim 7. More specifically, neither Koritzinsky nor Christopherson, considered alone or in combination, describes or suggests an originator apparatus that includes a first controller



device configured to receive captured data from a receiver apparatus, generate a plurality of images by executing a plurality of image generator programs according to different parameter setting values, send the plurality of images to the receiver apparatus, receive a selection of at least one image of the plurality of images from the receiver apparatus, and send an image generator program associated with the selected at least one image and having the setting values of the parameters configured to comply with the selected at least one image to the receiver apparatus. Moreover, neither Koritzinsky nor Christopherson, considered alone or in combination, describes or suggests a receiver apparatus that includes a second controller device configured to select images desired from the plurality of images received from the originator apparatus and to send the selection result back to the originator apparatus to determine the image generator program to be sent to the receiver apparatus.

Rather, Koritzinsky describes a remote service facility that communicates with a number of imaging modalities to provide online and offline service to the imaging modalities from the service facility, wherein the remote service facility can transmit examination and/or imaging protocols to the imaging modalities, including configuration parameters for specific examination sequences that are specifically adapted to a particular imaging modality, and Christopherson describes uploading digital images to a webserver using a customer computer and ordering processing of the digital images and/or ordering prints from the webserver that are developed based on the digital images.

Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Koritzinsky in view of Christopherson.

When the recitations of Claims 9, 10, 19, and 20 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claims 9, 10, 19, and 20 likewise are patentable over Koritzinsky in view of Christopherson.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 3-5 and 9-20 be withdrawn.

**Conclusion**

In view of the foregoing Amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Respectfully submitted,



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